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The Fifth Estate

RADIO TELEVISION CABLE SATELLITE

Broadcasting Apr 11

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57th Year 1988

The FCC's Dennis Patrick

THE NAB CONVENTION

Vol. 114 No. 15

Broadcasting Apr 11

Dennis Patrick: The chapter and verse...page 31

NAB turns its back on deregulation...page 34

Big deals in radio on convention eve...page 36

SECOND THOUGHTS □ In this pre-convention interview with BROADCASTING editors, NAB President Eddie Fritts says that although association does not want to return to era of complete regulation, there is concern among NAB's membership that deregulation may, in some cases, have been "two-edged sword." **PAGE 34.**

Broadcasting's associate editor, Kim McAvoy, interviews Eddie Fritts.

THAT'S THE TICKET □ Some 40,000 broadcasters are in Las Vegas this week for NAB's annual meeting, which this year runs under banner: "Broadcasting & Democracy: the Winning Ticket." Overview of convention agenda and exhibitors begins on **PAGE 41.**

FROM HERE TO INFINITY □ During his seven-year tenure at Infinity Broadcasting, Mel Karmazin has helped build company into largest radio-only station group, with reputation as well-managed and aggressive player in station trading. On eve of NAB, Karmazin discusses regulatory, economic and other issues facing medium. **PAGE 94.**

WALKING WOUNDED □ NBC Radio newsman C.D. Jaco was injured in line of duty while covering unrest in Panama. **PAGE 118.**

NO SIMPLE MARKETPLACE □ While new and returning programs try to dethrone *Wheel of Fortune* and *Jeopardy!*, there is also growing competition from talk shows, *Cosby* and *USA Today* entering early fringe and/or access time periods. **PAGE 101.**

MONEY TO CABLE □ Although it remains fraction of broadcast networks, cable advertising is increasingly becoming attractive place for advertisers' dollars. **PAGE 106.**

VIEW FROM THE WATCHTOWER □ Over past 40 years Jules Cohen, this year's recipient of NAB's Engineering Achievement Award, has been observer of and participant in changing state of broadcast engineering. **PAGE 139.**

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BY THE NUMBERS

Summary of broadcasting and cable

BROADCASTING			
SERVICE	ON AIR	CP's	TOTAL *
Commercial AM	4,908	170	5,078
Commercial FM	4,045	418	4,463
Educational FM	1,314	173	1,487
■ Total Radio	10,267	761	11,028
FM translators	789	444	1,233
Commercial VHF TV	538	23	561
Commercial UHF TV	481	222	703
Educational VHF TV	118	3	121
Educational UHF TV	212	25	237
■ Total TV	1,349	273	1,622
VHF LPTV	93	74	167
UHF LPTV	258	136	394
■ Total LPTV	351	210	561
VHF translators	2,869	186	3,055
UHF translators	1,921	295	2,216
ITFS	250	114	364
Low-power auxiliary	824	0	824
TV auxiliary	7,430	205	7,635
UHF translator/boosters	6	0	6
Experimental TV	3	5	8
Remote pickup	12,338	53	12,391
Aural STL & intercity relay	2,836	166	3,002

CABLE	
Total subscribers	45,000,000
Homes passed	71,500,000
Total systems	8,000
Household penetration†	51.1%
Pay cable penetration	28.6%

* Includes off-air licenses.

† Penetration percentages are of TV household universe of 88.6 million.

NAB has offered survey indicating that advertising in children's programing is currently under proposed 9.5 minute limit.

Comparative Renewal Reform

■ Seventeen Republican members of House Commerce Committee have sent letter to FCC Chairman Dennis Patrick urging him to follow through on his announced intention to reform comparative license renewal procedures.

In speech at conference sponsored by National Association of Broadcasters in March, Patrick criticized current process and said time may be ripe for FCC action. Patrick received cue for speech from key members of Congress, who said congressional reform efforts had bogged down. Week after Patrick speech, NAB President Eddie Fritts also encouraged Patrick to take action, saying FCC should prohibit, among other things, license challengers from receiving payments from incumbents in excess of their "prudent and legitimate" expenses. Leibowitz & Spencer, Miami-based communications law firm, has asked FCC to expedite its earlier petition for reform rulemaking to put potential challengers on notice that their applications may be subject to more stringent scrutiny than in the past. Talk of reform comes against backdrop of license challenge of CBS's WBBM-TV Chicago by group headed by local attorney, Brenda Minor (BROADCASTING, March 21). Many communications attorneys believe case underscores vulnerability of broadcasters with good track records to costly and time-consuming challenges. FCC has also ordered comparative renewal for Viacom's KMOV-TV St. Louis and is preparing order affecting five other television stations.

Compulsory License

FCC is conducting inquiry into cable compulsory license; if views of FCC Chairman Dennis Patrick on subject are any guide, inquiry could lead to recommendation that Congress abolish license. At Association of Independent Television Stations convention in Los Angeles in January, Patrick said world in which cable can refuse to carry independent's signal while at same time enjoying right to carry any signal it pleases is intolerable. Reexamination of license on Capitol Hill could occur in context of broadcasters' efforts to resurrect must-carry requirements there ("Closed Circuit," Dec. 21, 1987). House Telecommunications Subcommittee member John Bryant (D-Tex.) has offered legislation (BROADCASTING, April 4) that would condition compulsory license on whether cable operator is carrying local broadcast signals. At National Association of Broadcasters joint board of directors meeting in January, television board directed staff to investigate all aspects of compulsory license as part of its consideration of issues related to must carry. In comments on license inquiry, cable generally supported retention of license while program producers opposed it. NAB softened its long-standing opposition, arguing that license should be left alone for time being.

Crossownership

Broadcast-newspaper—Rupert Murdoch won victory in U.S. Court of Appeals in Washington March 29 when court ruled that statute passed by Congress in final hours of its last session violated First and Fifth Amendments of Constitution by prohibiting FCC from extending current waivers of rule banning newspaper-television station crossownership. Action came too late to enable Murdoch to retain *New York Post*, which he had sold in February to real estate developer Peter Kalikow for $37 million so that Murdoch could keep WNYW(TV) New York. But Murdoch now has opportunity to retain Boston Herald and WFXT-TV Boston. Court did not, however, rule on constitutionality of substance of provision that bars commission from repealing or modifying television-newspaper crossownership ban.

Senator Edward M. Kennedy (D-Mass.) and Senate Commerce Committee Chairman Ernest Hollings (D-S.C.) had attached measure to catch-all spending bill just before Christmas recess to block Murdoch from getting extension of waivers that allowed him to maintain, temporarily, crossownerships in New York and Boston. Court, which heard oral arguments Feb. 11, has granted stay of Kennedy-Hollings measure until 45 days after it issues decision.

Meanwhile, FCC received comments on Freedom of Expression Foundation petition calling on FCC to repeal crossownership rules. News America stopped short of asking for repeal, saying FCC should consider applications of ban on case-by-case basis. In light of Hollings-Kennedy, which applies to television-newspaper only, American Newspaper Publishers Association urged FCC to lift ban on radio-newspaper crossownership to develop record for reevaluating television-newspaper ban when that becomes possible.

Telco-cable—Should telephone companies be allowed to offer cable service within their telephone service areas? That's central question in FCC proceeding that could lead to dropping of FCC rules barring such crossownership and recommendation to Congress that it eliminate redundant prohibition in Cable Communications Policy Act of 1984. Not wait-

April 16-17—"Economics and the '88 Elections," conference for journalists co-sponsored by *Foundation for American Communications* and *Gannett Foundation*. Vista International hotel, Washington. Information: (213) 851-7372.

Also in April

April 17-20—*Broadcast Financial Management Association* 28th annual conference. Speakers include FCC Commissioner Patricia Dennis. Hyatt Regency, New Orleans. Information: (312) 296-0200.

April 18—Deadline for entries in Public Service Announcement Emmy Awards, sponsored by *National Academy of Television Arts and Sciences*. Information: (212) 586-8424.

April 19—Pay-per-view videoconference, sponsored by *Cable Television Administration and Marketing Society*'s pay-per-view committee. On Satcom 3R7, originating from Centel Cable TV in Wheaton, Ill. Information: (202) 371-0800.

April 19—"The Future of Television in a Changing Society," sponsored by *The Washington Journalism Center*. Speakers include Edward Fritts, president, National Association of Broadcasters; James Mooney, president, National Cable Television Association; James Quello, FCC; George Gerbner, dean of Annenberg School of Communications. Watergate hotel, Washington. Information: (202) 331-7977.

April 19—*New York Women in Cable and Turner Broadcasting* meeting. Speaker: Shelly Duvall, chairwoman, Think Entertainment. Viacom Conference Center, New York. Information: Beth Araton, (212) 661-6040.

April 19—*Women in Cable, Greater Philadelphia chapter*, meeting. Adams Mark hotel, Bala Cynwyd, Pa. Information: (215) 293-8681.

■ **April 20**—"The New Television Mix and the Political Process," luncheon panel sponsored by *National Cable Television Association* and *National Academy of Cable Programing*, in celebration of National Cable Month. Panel: David Gergen (moderator), editor, *U.S. News & World Report*; Robert Beckel, manager, 1984 Mondale campaign; Ed Rollins, manager, 1984 Reagan campaign; Bill Headline, VP-Washington bureau chief, CNN, and Brian Lamb, chairman and CEO, C-SPAN. National Press Club, Washington. Information: (202) 342-7723.

■ **April 20**—Symposium on Minorities and Women in Television, co-sponsored by *Caucus for Producers, Writers and Directors* and *Los Angeles County Commission on Human Relations*. Los Angeles Midtown Hilton. Information: (213) 652-0222.

April 21—*Advertising Club of Greater Boston* annual ad club sports panel luncheon. 57 Restaurant, Boston.

April 20-22—*Indiana Broadcasters Association* spring conference. New Harmony Inn, New Harmony, Indiana.

April 20-22—*Electromagnetic Energy Policy Alliance* annual meeting and symposium. Radisson Mark Plaza, Alexandria, Va. Information: (202) 429-5456.

April 21—*White House Correspondents Association* annual dinner. Washington Hilton, Washington.

April 21—*Academy of Television Arts and Sciences* forum luncheon, "Television: From Both Sides of the Table." Speaker: Fred Silverman, president, Fred Silverman Co. Century Plaza hotel, Los Angeles. Information: (818) 953-7575.

April 21-24—*National Alliance of Third World Journalists* national conference. Atlanta. Information: (202) 462-8197.

April 22—*New Jersey Broadcasters Association* annual engineering seminar. Wood Lawn, Douglass College, Rutgers University, New Brunswick, N.J. Information: (201) 247-337.

April 22-23—*Kentucky Cable Television Association* general membership meeting. Holidome, Bowling Green, Ky.

April 22-23—*National Association of Telecommunications Officers and Advisors* regional telecommunications conference. Sheraton Oaks hotel, Novi, Mich. Information: Catharine Rice, (202) 626-3250.

April 22-24—"PBS Rocky Mountain Retreat," women's media conference sponsored by *Public Broadcasting Service*. Sundance, Utah. Information: (703) 739-5218.

April 23—*Georgia AP Broadcasters Association* annual meeting and awards banquet. Waverly hotel, Atlanta.

April 23—Elizabeth P. Campbell lecture series sponsored by *WETA(TV) Arlington, Va.* Speaker: Judy Woodruff, chief Washington correspondent, *MacNeil/Lehrer NewsHour*. WETA studios, Arlington, Va. Information: (703) 998-2713.

April 25—"Executives Talk About Strategic Outlook of the Communications Industries," seminar sponsored by *Center for Communication*. Center, 30 Rockefeller Plaza, floor 53, New York. Information: (212) 265-9130.

April 26-27—*Ohio Association of Broadcasters* spring convention. Westin hotel, Cincinnati.

April 27—*New York Television Academy* luncheon. Speaker: Ted Turner, Turner Broadcasting System. Copacabana, New York. Information: (212) 765-2450.

■ **April 27**—*San Diego Communications Council* videoconference with FCC Chairman Dennis Patrick. Reuben H. Fleet Space Theater, Balboa Park, San Diego. Information: (619) 265-6933.

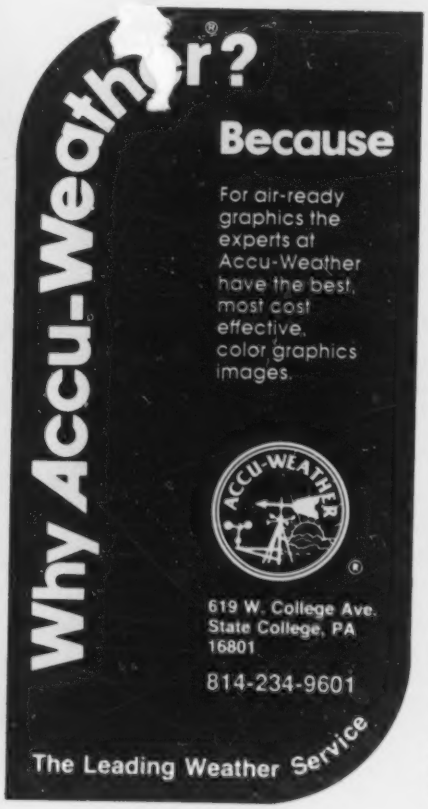
April 28—Sixth annual Lowell Thomas Award presentation, for "excellence in broadcast journalism," presented by *Marist College*, to Harry Reasoner, correspondent and co-editor of CBS's *60 Minutes*. Helmsley Palace, New York. Information: (914) 471-3240.

April 28-30—*Texas Associated Press Broadcasters Association* annual convention. Hilton hotel, Odessa, Tex.

April 28-May 3—24th annual *MIP-TV, Marches des International Programes des Television*, international television program market. Palais des Festivals, Cannes, France. Information: (212) 967-7600.

April 29—*National Association of Telecommunications Officers and Advisors* regional telecommunications conference. Marriott, Torrance, Calif. Information: Susan Herman, (213) 485-2866.

April 30-May 3—*National Cable Television Association* annual convention and exposition. Theme: "Cable '88: Seeing is Believing." Los Angeles Convention Center, Los Angeles. Information: (202) 775-3629.



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□

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new host [Ray Combs] and the way they are booking the show, with a younger appeal."

He added: "In a head-to-head battle with *Wheel*, either *Feud* or *Win, Lose or Draw* would not win in household ratings; *Wheel* will still be the number-one syndicated show a year from now. There is a possibility," he said, "that the demos from *Wheel* will be a little older than those of *Feud* and *Win, Lose or Draw*."

Among the shows that are expected to have moderate to limited success are Barris Industries' return of the *Gong Show, New Newlywed* and *Dating Game;* Fox's *Double Dare;* Paramount Television's *Wipeout;* Four Star's *The New Liar's Club;* Worldvision's *Trivial Pursuit,* Orion's *Hollywood Squares;* Multimedia's *Sweethearts,* and ABR's *Yahtzee* (production for *Yahtzee* has stopped due to legal squabbles between the co-producers of the show. ABR is calling it a question mark for the fall), and *Lingo. The Gong Show* and *Wipeout* are the strongest of the group going into the fall, according to many station reps.

D.L. Taffner's *Whose Baby*, scheduled to launch in the fall, will not make it, according to Dick Kurlander. "They came out with it too late. It may come back at a later date and we hope it does because it is a good show."

Game shows not returning for fall '88 are Orion's *High Rollers* and Fox's *$100,000 Pyramid*.

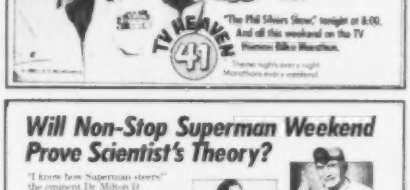
The failure of *High Rollers* "is an indication of how crowded and difficult the market has become," according to Larry Hutchings, senior vice president, sales and marketing, Orion Television. □

Oldies format, for TV

Minneapolis station teams up with ad agency to create TV format, 'TV Heaven 41,' of old programs; target is baby boomers

A Minneapolis-area television station has joined forces with a New York-based advertising agency to create a new television format designed to appeal to baby boomers who still have an appetite for programs they watched while growing up. If the format takes off (the first returns will be in with the May rating books), its creators may market it nationally.

Isn't Bilko's idea of heaven very much like your own?
"The Phil Silvers Show," tonight at 8:00. And all this weekend on the TV Heaven Bilko Marathon.
TV HEAVEN 41
Theme nights every night. Marathons every weekend.



The format, known as "TV Heaven 41," is owned jointly by Halcom Inc., KLXI(TV) St. Cloud, Minn., and Fred/Alan Inc., the New York-based advertising agency responsible for the on-air look of MTV and Nickelodeon.

KLXI(TV) (which covers the Minneapolis market with its Rochester, Minn-based satellite, KXLT-TV) is the fourth-rated independent station in the market. The station, which went on the air in 1981, and its satellite were bought last summer from L.E.O. Broadcasting. According to Doug McMonagle, new general manager of the station, research done in the market showed there was unfulfilled demand for older programs, known in the business as "evergreen" material. If packaged properly, he said last week, he believes the right schedule could lift the station from hash marks in the rating book to perhaps an average 3 rating/5 share.

"TV Heaven 41" uses a theme approach to program what amounts to an "oldies" format for TV. Each night of the week will feature a different theme, such as science fiction, comedy, western, detective and war. The weekend schedules will feature "marathons" of shows. Programs such as *Combat, Topper, Rawhide, Get Smart, Superman* and *My Favorite Martian* are planned.

The pitch to agencies, said McMonagle,

Tuesday problems keep CBS in third

Still suffering the disastrous effects of its now-aborted Tuesday night comedy lineup, CBS placed third again in the prime time ratings for week 28 of the season (ending April 3). NBC was first with a 14.6 rating and a 25 share, followed by ABC, 12.8/22, and then CBS, 12.6/22. The third and final week of the comedy block gave CBS an average 9.4 rating and a 16 share for the night, a distant third behind ABC (16.5/27) and NBC (16.4/27). On Monday night, CBS's established comedy block from 8 p.m. to 10 p.m. received solid second-place numbers from 8 p.m. to 9:30 p.m. with *Kate and Allie, Designing Women* and *Newhart*, but foundered at 9:30 p.m. with the mid-season replacement *Eisenhower & Lutz*, which fell to third place, where the network ended for the night. On Wednesday, the premiere of CBS's *Smothers Brothers Comedy Hour* was third in its time period against *Aaron's Way* on NBC and a one-hour special *Growing Pains* on ABC. The new Smothers Brothers program ranked 52nd among prime time shows for the week. After finishing last the first three nights of the week, CBS pulled into second place on Thursday night with its lineup of *48 Hours, Simon & Simon* and *Knots Landing*. ABC's schedule of *Probe, Hotel,* and *Buck James* averaged only an 8.3/14. CBS took Friday (April 1) with its regular lineup of *Beauty and the Beast, Dallas* and *Falcon Crest*.

On Saturday night, NBC dominated with its regular comedy lineup.

Nielsen		Net	Show	AGB
1	25.1/42	N	Cosby Show	25.6/44
2	24.2/41	N	Different World	23.3/40
3	23.2/39	N	Cheers	22.3/38
4	22.0/35	A	Who's the Boss?	20.3/33
5	20.3/36	N	Golden Girls	20.9/38
6	19.4/30	N	ALF	19.6/31
7	19.2/30	A	Wonder Years	19.1/30
8	19.0/30	N	Matlock	19.5/31
9	18.1/29	A	ABC Monday Movie	16.2/27
10	18.1/29	A	Growing Pains	16.7/27
11	17.4/28	N	In the Heat of the Night	16.6/27
12	16.8/30	N	Amen	16.5/31
13	16.7/25	N	My Two Dads	16.1/25
14	16.6/30	N	L.A. Law	13.4/25
15	16.5/29	C	Knots Landing	14.4/27
16	16.4/28	N	Days, Nights of M. Dodd	15.2/26
17	16.2/28	C	Dallas	16.0/29
18	16.1/26	A	Dynasty	12.7/21
19	16.0/29	N	227	15.5/28
20	15.5/25	A	Moonlighting	16.5/27
21	15.2/33	C	60 Minutes	16.6/35
22	15.1/23	C	Newhart	15.3/24
23	14.9/24	N	NBC Monday Movie	15.0/25
24	14.7/22	C	Designing Women	16.3/25
25	14.6/26	C	Murder, She Wrote	16.7/29
26	14.5/25	C	CBS Sunday Movie	16.2/27
27	14.5/23	N	Aaron's Way	17.0/28
28	14.3/26	N	Miami Vice	11.7/22
29	14.1/28	N	Hunter	11.9/25
30	14.0/26	N	Facts of Life	13.6/25
31	14.0/25	C	Equalizer	13.4/26
32	14.0/23	A	Heartbeat	11.9/23
33	13.8/22	N	Highway to Heaven	15.4/25
34	13.7/25	C	Falcon Crest	13.5/26
35	13.6/21	C	Kate and Allie	14.5/23
36	13.5/21	A	MacGyver	11.9/19
37	13.3/24	C	NCAA Champ. Final 4 #2	12.0/22
38	13.3/24	A	Thirtysomething	12.8/24
39	13.1/23	N	Night Court	11.9/21
40	13.1/22	N	NBC Sunday Movie	13.7/23
41	12.9/24	A	ABC Sunday Movie	10.4/19
42	12.9/23	N	Crime Story	12.4/23
43	12.7/20	C	Jake and the Fatman	13.2/22
44	12.4/23	A	Perfect Strangers	11.0/21
45	12.3/19	C	Eisenhower and Lutz	11.7/19
46	12.1/22	A	Full House	10.4/19
47	12.1/20	C	Simon and Simon	10.9/19
48	12.0/22	C	Cagney and Lacey	11.1/21
49	11.8/22	C	Beauty and the Beast	11.6/22
50	11.5/20	N	Beverly Hills Buntz	9.6/17
51	11.4/21	A	20/20	11.7/22
52	11.3/18	C	Smothers Brothers *	12.1/19
53	10.8/20	N	Bronx Zoo	10.5/20
54	10.8/19	A	Mr. Belvedere	9.8/17
55	10.2/19	N	Highwayman	10.2/19
56	10.1/17	C	Wiseguy	8.8/15
57	10.1/16	C	Coming of Age	10.5/17
58	10.0/20	C	West 57th	9.9/21
59	9.7/19	A	Spenser: For Hire	9.0/19
60	9.7/17	N	Day by Day	11.4/19
61	9.6/17	A	Family Man	9.4/17
62	9.5/16	A	Probe	9.4/16
63	9.3/16	A	Unruly Dragon	8.5/15
64	9.2/17	N	Family Ties	10.9/20
65	9.0/14	C	Frank's Place	9.0/15
66	8.8/16	A	Ohara	8.6/16
67	8.6/16	A	Dolly	10.6/19
68	7.9/13	A	Hotel	7.1/12
69	7.9/12	C	My Sister Sam	7.6/12
70	7.5/13	A	Buck James	7.1/13
71	6.9/12	C	48 Hours	7.7/13
72	5.4/9	C	Trial and Error	6.2/10
73	4.2/9	N	Easter in Rome	5.5/12

* Indicates premiere episode

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